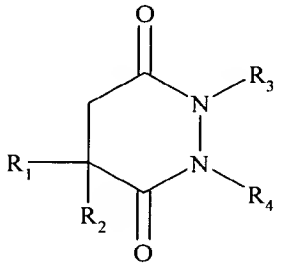
REMARKS

Claim1 has been amended and claims 5 and 6 have been deleted to more distinctly claim Applicant's invention. No new matter has been introduced. Support for the amendment to Claim 1 can be found in the present specification on page 6, line 16, to page 7, line 5.

THE REJECTION

The Examiner has rejected claims 1-20 under 35 U. S. C. §103(a) as being unpatentable over Hayashi. This rejection is respectfully traversed.

The present invention, as presently amended, relates to a composition comprising a lubricant and at least one alkyl succinhydrazide compound of the formula:



wherein:

R_1 is selected from the group consisting of linear or branched C_1-C_{22} alkyl, C_1-C_{22} alkenyl, C_1-C_{22} alkaryl, C_1-C_{22} alkyl ether, alkyl ester, and alkylene ester groups;

R_2 is selected from the group consisting of hydrogen, linear or branched C_1-C_{22} alkyl, C_1-C_{22} alkenyl, C_1-C_{22} alkyl ether, and alkyl ester groups; and

R_3 and R_4 are independently selected from the group consisting of hydrogen, linear or branched alkyl and alkenyl groups, aryl groups, and alkaryl groups.

Hayashi describes hydrocarbyl substituted carboxylic acylating agents made by reacting (a) one or more alpha-beta olefinically unsaturated carboxylic acid reagents containing 2-20 carbon atoms, exclusive of the carboxyl-based groups with (b) one or more

high molecular weight olefin polymers of more than 30 carbon atoms. Hayashi does not teach or suggest hydrocarbyl substituted carboxylic acylating agents in which reactant component (b) is less than 30 carbon atoms. Hayashi does not teach or suggest hydrocarbyl substituted carboxylic acylating agents in which reactant component (b) is other than a polymer.

The Examiner asserts that

"it would have been obvious to one having ordinary skill in the art at the time of the invention was made to follow the [Hayashi] teachings and arrive at the instantly claimed compounds because Hayashi specifically teaches preparing those additive compounds."

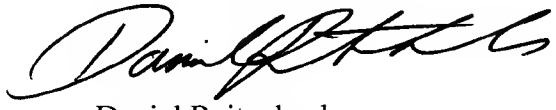
It is respectfully submitted that based on the claims as presently amended, this assertion is incorrect.

Hayashi requires as the second reactant component (b), a polymer of greater than 30 carbon atoms. In Applicant's invention, as presently claimed, when R_1 and R_2 are alkyl, alkenyl, alkaryl, or alkyl ether, R_1 and R_2 can each contain no greater than 22 carbon atoms. Additionally, alkyl esters and alkylene esters are not polymers.

Accordingly, it is respectfully submitted that the rejection of claims 1-20, as presently amended, under 35 U. S. C. §103(a) as being unpatentable over Hayashi, is improper. Reconsideration of this rejection is respectfully requested.

In light of the foregoing, reconsideration and allowance of the subject application are respectfully solicited.

Respectfully submitted,



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Case No.: 0096UP

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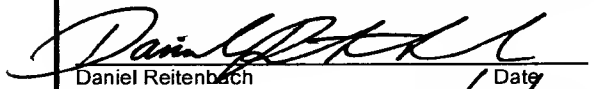

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Date 8/13/03